

1 SHARTSIS FRIESE LLP
2 ANTHONY B. LEUIN (Bar #95639)
3 aleuin@sflaw.com
4 FELICIA A. DRAPER (Bar #242668)
5 fdraper@sflaw.com
One Maritime Plaza, Eighteenth Floor
San Francisco, CA 94111-3598
Telephone: (415) 421-6500
Facsimile: (415) 421-2922

6 Attorneys for Defendant
FAIRWINDS ESTATE WINERY, LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

11 KINSALE INSURANCE COMPANY, a
Virginia corporation,

Plaintiff,

V.

FAIRWINDS ESTATE WINERY, LLC, a
California limited liability company,

Defendant.

Case No. 3:21-cv-05968

**DECLARATION OF FELICIA DRAPER
IN SUPPORT OF DEFENDANT'S
MOTION TO DISMISS OR, IN THE
ALTERNATIVE, STAY PROCEEDINGS**

Date: October 27, 2021
Time: 2:00 p.m.
Courtroom: 2
Judge: Hon. William H. Orrick

Complaint Filed: August 2, 2021

SHARTSIS FRIESE LLP
ONE MARITIME PLAZA
EIGHTEENTH FLOOR
SAN FRANCISCO, CA 94111-3598

1 I, FELICIA DRAPER, declare as follows:

2 1. I am an attorney with the law firm Shartsis Friese LLP, counsel for Defendant
3 Fairwinds Estate Winery, LLC (“Fairwinds”) in the above-captioned action. I have personal
4 knowledge of the facts stated herein, except as to matters stated on the basis of information and
5 belief, and I believe such matters to be true. If called as a witness, I would testify as to the
6 matters stated herein.

7 2. I submit this Declaration in support of Fairwinds’ Motion to Dismiss Or, In The
8 Alternative, Stay Proceedings.

9 3. Attached hereto as **Exhibit A** is a true and correct copy of the Complaint filed by
10 Fairwinds in Napa County Superior Court on September 9, 2021, *Fairwinds Estate Winery, LLC,*
11 *et al., v Kinsale Ins. Co., et al.*, Case No. 21-cv-001288.

12 4. Attached hereto as **Exhibit B** is a true and correct copy of an email exchange
13 between Fairwinds’ COO, Anthony Zabit, to Kinsale’s Claims Examiner, Mike Mikeska, dated
14 July 6-7, 2021

15
16 I declare under penalty of perjury of the laws of the State of California and the United
17 States that the foregoing is true and correct. Executed this 9th day of September 2021 at San
18 Rafael, California.



19
20 9051819
21
22
23
24
25
26
27
28